

REMARKS

Applicant appreciates the Examiner's indication that all of the previous grounds for rejection have been withdrawn, and that Claims 15, 19, 20, 21, 23-25 and 47 would be allowable if rewritten in independent form. However, Applicant has not rewritten these claims in independent form. Rather, Applicant respectfully requests the Examiner to consider the following four (4) recitations of Claim 1 (the sole claim being rejected) that are not described or suggested by Figure 5 and related text of Vriens et al., as interpreted by the Examiner's new interpretation of Vriens et al. at Page 2 of the final Official Action, and to withdraw the rejection of Claim 1 based on any one or more of these four (4) recitations. For convenience, Claim 1 is reproduced below:

1. A semiconductor light emitting device comprising:
a substrate having a face that includes a cavity therein;
a flexible (1) film that includes therein an (2) optical element, wherein the flexible film extends onto, and (3) is attached to, the face beyond the cavity and (4) the optical element overlies the cavity;
a semiconductor light emitting element in the cavity and configured to emit light through the optical element; and
an optical coupling media in the cavity between the optical element and the semiconductor light emitting element. (Emphasis added.)

The four recitations of Claim 1 that are not described or suggested in Vriens et al. and are labeled in Claim 1 above by (1)-(4). These four recitations will be discussed individually below.

Also for convenience, Figure 5 of Vriens et al. and the accompanying text (Vriens et al. Column 6, line 65-Column 7, line 10) is reproduced below:

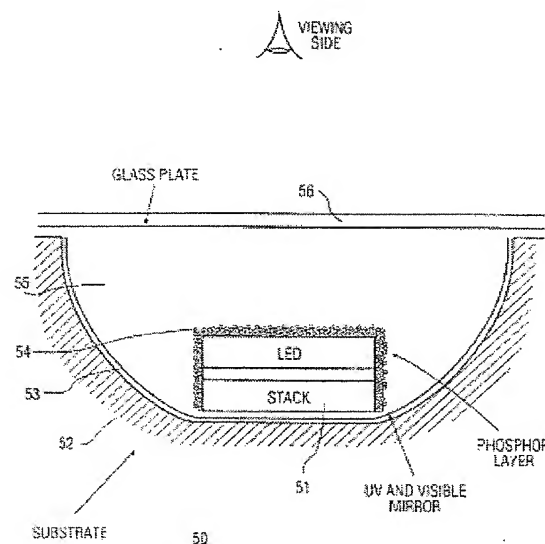


FIG. 5

Embodiment 16

The afore described preferred embodiments of the invention are particularly suitable when the wavelength of the UV/blue light is not too short, for example above 390 nm. When shorter wavelengths are used, in the range from 360 to 390 nm, in particular close to 360 nm, it is more difficult to find a UV resistant epoxy. In that case it may be advantageous to deposit the phosphor grains **54** as close as possible to the LED stack **51**, as illustrated in the preferred embodiment shown in FIG. 5. The cup shaped header **52** may then be filled with epoxy **55**, which is still as resistant as possible for UV/blue light. All further additions as described in embodiments 2 to 15 may then be applied.

Applicant respectfully requests the Examiner to consider the following four recitations of Claim 1, any one of which precludes anticipation by Vriens et al.:

(1) Vriens et al.'s epoxy **55** is not a film. As shown in Figure 5 of Vriens et al., epoxy **55** fills the cavity in the cup shaped header **52**. It is, therefore, not a thin sheet of material, i.e., it is not a film. Rather, as clearly shown in Vriens et al. Figures 2-5, the epoxy **55** fills the cavity in the cup.

(2) Vriens et al.'s epoxy does not include therein an optical element. The final Official Action contends that Vriens et al.'s epoxy **55** includes an optical element because it "transmit light". However, "transmit light" is not an optical element because "transmit light" does not in any way alter light. An optical element must have some impact on the light. For example, as noted at Page 7, lines 30-31 of the present application, an optical element can include a lens, prism, an optical emission enhancing and/or converting element such as a phosphor, an optical scattering element, etc. "Transmit light" is not an optical element.

(3) Vriens et al.'s epoxy **55** is not attached to the face of the substrate beyond the cavity. As clearly illustrated in Figure 5 of Vriens et al. and as clearly described in the above-quoted passage of Vriens et al., the cup shaped header **52** is filled with epoxy **55**, but the epoxy does not extend beyond the cavity. A similar description at Column 3, lines 31-39 of Vriens et al. confirms this:

The cup is filled with transparent material **25**, preferably a UV/blue light resistant epoxy such as a cycloaliphatic epoxy, through which the phosphor **24** is mixed homogeneously. The product of phosphor grain density and grain size should be made high enough to ensure that most of the UV/blue light is converted to visible light. To prevent UV/blue light which is not absorbed by the phosphor grains from exiting into air, a small flat glass plate **26** can be placed on the top of the cup-shaped header. (Emphasis added.)

Accordingly, the epoxy **55/25** of Vriens et al. does not attach to the face of the substrate beyond the cavity.

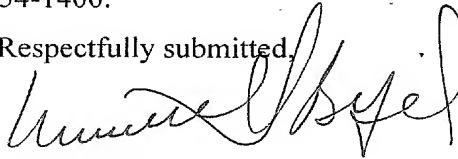
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(4) The optical element of Vriens et al. does not overlie the cavity. As clearly illustrated in Vriens et al. Figure 5 and as described in the above cited portions, the epoxy 55 fills the cavity. It does not overlie the cavity.

Any of the above-described differences precludes a finding of anticipation under 35 USC §102(b). Moreover, the four recitations of Claim 1 as discussed above clearly preclude Vriens et al. from rendering Claim 1 obvious.

In view of the above, Applicant respectfully requests withdrawal of the outstanding rejection of Claim 1 and allowance of the present application. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,

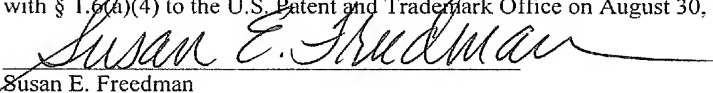


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